

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:

UNITED STATES OF AMERICA  
:

- v. -  
:

DAVID SCHWARTZ,  
a/k/a "David Schwarcz," and  
ROBERT RIMBERG,  
:

Defendants.  
:  
- - - - - x

COUNT ONE

(Money Laundering Conspiracy)

The Grand Jury charges:

1. From in or about 2009 through in or about 2011, in the Southern District of New York and elsewhere, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Sections 1956(a)(3)(A) and 1956(a)(3)(B).

2. It was a part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, with the intent to promote the carrying on of specified unlawful activity and to conceal and disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified

ORIGINAL

SUPERSEDING INDICTMENT

S2 15 Cr. 835 (JGK)

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unlawful activity, to wit, narcotics trafficking, did knowingly conduct and attempt to conduct financial transaction affecting interstate or foreign commerce involving property represented to be proceeds of specified unlawful activity, to wit, narcotics trafficking, in violation of Title 18, United States Code, Sections 1956(a)(3)(A) and 1956(a)(3)(B).

(Title 18, United States Code, Section 1956(h).)

COUNT TWO

(Money Laundering)

The Grand Jury further charges:

3. From in or about 2009 through in or about 2011, in the Southern District of New York and elsewhere, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, with the intent to promote the carrying on of specified unlawful activity and to conceal and disguise the nature, location, source, ownership, or control of property believed to be the proceeds of specified unlawful activity, to wit, narcotics trafficking, did knowingly conduct and attempt to conduct financial transactions affecting interstate or foreign commerce involving property represented to be proceeds of specified unlawful activity, to wit, narcotics trafficking.

(Title 18, United States Code, Sections 1956(a)(3)(A),  
1956(a)(3)(B) and 2).

COUNT THREE

(Illegal Money Transmitting Conspiracy)

The Grand Jury further charges:

4. From at least in or about 2009 through in or about 2011, in the Southern District of New York and elsewhere, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, unlawfully, willfully and knowingly, combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1960.

5. It was a part and an object of the conspiracy that DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, and others known and unknown, willfully and knowingly would and did conduct, control, manage, supervise, direct, and own all and part of an unlicensed money transmitting business affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 1960.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, was committed in the Southern District of New York and elsewhere:

a. In or about December 2010, ROBERT RIMBERG, the defendant, and a co-conspirator not named herein accepted approximately \$1,000,000 in United States currency.

b. In or about December 2010, DAVID SCHWARTZ, a/k/a "David Schwarcz," the defendant, sent and assisted in sending wires transferring the approximately \$1,000,000 in United States currency referenced above to different bank accounts.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

7. As the result of committing the offenses alleged in Counts One through Three of this Indictment, DAVID SCHWARTZ, a/k/a "David Schwarcz," and ROBERT RIMBERG, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real and personal, involved in the offenses alleged in Counts One through Three of this Information, or any property traceable to such property.

SUBSTITUTE ASSET PROVISION

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of  
the Court;

(4) has been substantially diminished in value;  
or

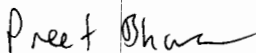
(5) has been commingled with other property  
which cannot be subdivided without  
difficulty;

it is the intent of the United States, pursuant to and Title 21,  
United States Code, Section 853(p), to seek forfeiture of any  
other property of the defendants up to the value of the above  
forfeitable property.

(Title 18, United States Code, Section 982;  
Title 21, United States Code, Section 853.)



FOREPERSON

  
PREET BHARARA  
United States Attorney

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SUPERSEDING  
INDICTMENT

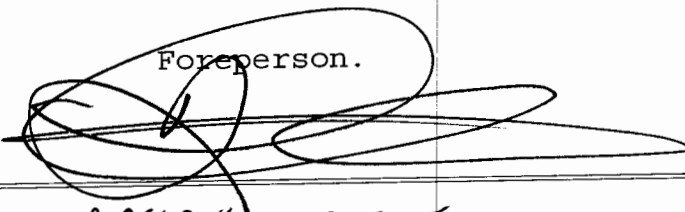
S2 15 Cr. 835 (JGK)

(18 U.S.C. §§ 371, 1956(a), 1956(h),  
and 2.)

PREET BHARARA  
United States Attorney.

A TRUE BILL

Foreperson.



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11/28/16 FILED SUPERSEDING INDICTMENT

COTT, USMj